

Chairperson: Supervisor T. Anthony Zielinski
Clerk: Linda Durham, 278-4225
Research Analyst: Luisa Ginnetti, 278-5290

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, January 22, 2004 - 9:00 A.M.
Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 26: Side B, #332 to end of tape
TAPE No. 27: Side A, #001 to end of tape
TAPE No. 27: Side B, #001 to 072

PRESENT: Supervisors Bailey, Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski
(Chairman)

Scheduled Items:

1. 03-134 From the Sheriff, Pharmacy Cost Update. **(FOR INFORMATION ONLY)** (Tape
(a) #26B-343).

APPEARANCES: Inspector Kevin Carr, Sheriff's Department

Inspector Carr requested that the Committee lay over the Pharmacy Cost Update report to the next cycle. He advised that Mr. Kalonick was unexpectedly called out of state and unavailable to provide the Committee with a detailed report. However, Mr. Kalonick requested that Inspector Carr pass on to the Committee that he is working on resolving issues and questions relative to the December pharmacy cost bill and will be finalizing his report for 2003 regarding pharmacy costs.

MOTION BY: (MC DONALD) Layover to the next cycle for a more in depth report briefing.

Chairman Zielinski, upon hearing no objections, so ordered the motion.

2. 04-J-1 Informational report from the State Department of Corrections on the affect of the jail cap on the Probation department. (Tape #26B-382)

Chairman Zielinski advised that the person who was to report on this item was not present due to his attendance at a funeral.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (MC DONALD) Layover.

Chairman Zielinski, upon hearing no objections, so ordered the motion.

3. 04-38 From the Superintendent, House of Correction, requesting authorization to extend service contracts for the Day Reporting Center with the current vendors, at a reduced level, on a month-to-month basis. (Tape #26B-386)

APPEARANCES: Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction

MOTION BY: (CESARZ) Receive and Place on File. **(Vote 6-0)**

AYES: Supervisors Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 6

NOES: 0

EXCUSED: Bailey

4. 04-71 From the Superintendent, House of Correction, requesting authorization to accept a grant award from the Office of Justice Assistance to "Re-focus" the existing Day Reporting Center. (Tape #26B-413)

APPEARANCES: Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction

MOTION BY: (CLARK) Approve. **(Vote 6-0)**

AYES: Supervisors Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 6

NOES: 0

EXCUSED: Bailey

5. 04-70 From the Superintendent, House of Correction, requesting authorization for the execution of professional service contracts with various community-based agencies for the purpose of providing services at the Offender Resource Center. (Tape #26B-438)

APPEARANCES: Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction

MOTION BY: (MC DONALD) Approve.

Supervisor Krug requested separate action on lines 27 and 28 of the proposed resolution approving a contract with ATTIC Correctional Service, Inc.

SCHEDULED ITEMS (CONTINUED):

Vote on approval of lines 27 and 28: 5-1

AYES: Supervisors Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 5

NOES: Supervisor Krug - 1

EXCUSED: Bailey

Vote on approval of balance of resolution: 6-0

AYES: Supervisors Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 6

NOES: 0

EXCUSED: Bailey

6. 04-72 From the Superintendent, House of Correction, requesting authorization to amend professional service contract with Wisconsin Community Service. (Tape #26B-528)

APPEARANCES: Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction

MOTION BY: (KRUG) Approve. **(Vote 6-0)**

AYES: Supervisors Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 6

NOES: 0

EXCUSED: Bailey

7. 04-62 From the Director, Child Support Enforcement, requesting authorization to execute Genetic Test contract with Laboratory Corporation of America (LabCorp). (Tape #26B-538)

APPEARANCES: Lisa Marks, Deputy Director, Child Support Enforcement
Agnes Marcinowski, Operations Manager, Child Support Enf.

MOTION BY: (CLARK) Approve. **(Vote 6-0)**

AYES: Supervisors Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 6

NOES: 0

EXCUSED: Bailey

SCHEDULED ITEMS (CONTINUED):

8. 04-61 From the Director, Child Support Enforcement, requesting authorization to execute a Paternity Acknowledgement contract with Rosalie Manor. (Tape #27B-552)
- APPEARANCES:** Lisa Marks, Deputy Director, Child Support Enforcement
Agnes Marcinowski, Operations Manager, Child Support Enf.
- MOTION BY: (KRUG)** Approve. **(Vote 6-0)**
- AYES:** Supervisors Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 6
NOES: 0
EXCUSED: Bailey
9. 04-63 From the Director, Child Support Enforcement, requesting authorization to execute W-2 contracts with Maximus, OIC (Opportunities Industrialization Center of Greater Milwaukee, Inc.) and UMOS (United Migrant Opportunity Services, Inc.). (Tape #26B-565)
- APPEARANCES:** Lisa Marks, Deputy Director, Child Support Enforcement
Agnes Marcinowski, Operations Manager, Child Support Enf.
- MOTION BY: (CLARK)** Approve. **(Vote 6-0)**
- AYES:** Supervisors Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 6
NOES: 0
EXCUSED: Bailey
10. 04-60 From the Chief Information Officer, IMSD, requesting modification to Exhibit A of 800 MHz Trunked Radio System Intergovernmental Agreement-City of Wauwatosa. (Tape #26B-589)
- APPEARANCES:** Bud Borja, Chief Information Officer, IMSD
Debra Lewis, Manager for Technical Services, IMSD
Captain Jeff Wright, Wauwatosa Police Department
- MOTION BY: (MC DONALD)** Approve. **(Vote 6-0)**
- AYES:** Supervisors Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 6
NOES: 0
EXCUSED: Bailey

SCHEDULED ITEMS (CONTINUED):

11. 04-45 A Resolution/Ordinance by Supervisor Lutzka to amend Chapter 64 of the Milwaukee County Code of General Ordinances relating to Regulations for Smoking, to provide an exemption to allow the South Shore Yacht Club to continue to provide smoking areas within the clubhouse. **(ALSO REFERRED TO PARKS, ENERGY & ENVIRONMENT COMMITTEE)** (Tape #26B-667)

APPEARANCES: Supervisor Lori Lutzka, County Board

MOTION BY: (KRUG) Concur with the recommendations of the Parks, Energy and Environment Committee. **(Vote 6-0)**

AYES: Supervisors Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 6

NOES: 0

EXCUSED: Bailey

12. 04-73 An Ordinance by Supervisor T. Johnson to amend Chapter 9 of the General Ordinances of Milwaukee County relating to the Code of Ethics. (Tape #26B-706)

APPEARANCES: Bill Domina, Corporation Counsel
Supervisor Willie Johnson, County Board

MOTION BY: (JOHNSON) Approve.

Discussion ensued at length.

MOTION BY: (KRUG) receive and place on file. **(Vote 1-6)**

AYES: Supervisors Krug - 1

NOES: Bailey, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) – 6

Motion fails.

Vote on the motion to approve: 4-3

AYES: Supervisors Bailey, Cesarz, T. Johnson and Zielinski (Chair) - 4

NOES: Krug, McDonald and Clark – 3

SCHEDULED ITEMS (CONTINUED):

13. 03-591 Report, referred back 12/18/03, recommending adoption of a resolution/ordinance by Supervisors Bailey, Diliberti and T. Johnson to amend Chapter 9 of the General Ordinances of Milwaukee County relative to prohibiting elected County officials from soliciting campaign contributions from "at-will" County employees. (Tape #27A-302)

APPEARANCES: Bill Domina, Corporation Counsel

MOTION BY: (BAILEY) Approve.

Discussion ensued.

Vote on approval: 5-2

AYES: Supervisors Bailey, Cesarz, T. Johnson, McDonald and Zielinski (Chair) - 5

NOES: Krug and Clark - 2

14. 03-592 Report, referred back 12/18/03, recommending that a resolution/ordinance by Supervisor Diliberti to amend Chapter 9 of the General Ordinances of Milwaukee County relative to prohibiting an elected County official or candidate for County office from knowingly soliciting a campaign contribution from any employee over whom they have direct supervisory, appointing and/or confirmation authority **BE PLACED ON FILE.** (Tape #27A-466)

APPEARANCES: Supervisor Diliberti, County Board

Supervisor Diliberti provided the Committee with a Substitute resolution. He requested that the said resolution/ordinance be substituted for his original resolution/ordinance.

MOTION BY: (T. JOHNSON) That Supervisor Diliberti's substitute resolution/ordinance be substituted for his original resolution/ordinance. **(Vote 7-0)**

AYES: Supervisors Bailey, Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 7

NOES: 0

MOTION BY: (MC DONALD) Place on file Supervisor Diliberti's substitute resolution/ordinance. **(Vote 7-0)**

AYES: Supervisors Bailey, Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

15. 03-593 Report, referred back 12/18/03, recommending adoption of a resolution/ordinance by Supervisor Diliberti to prohibit a person(s) with a personal financial interest in the approval or denial of a contract being considered by a County department or with an agency funded and regulated by a County department, from making a campaign contribution to any candidate for an elected County office that has final authority during its consideration. Amendment by Supervisor Diliberti also referred. (Tape #27A-591)

APPEARANCES: Supervisor Diliberti, County Board

Supervisor Diliberti provided the Committee with a Substitute resolution.

MOTION BY: (KRUG) That Supervisor Diliberti's substitute resolution/ordinance be substituted for his original resolution/ordinance.
(Vote 4-3)

AYES: Supervisors Krug, T. Johnson, Clark and Zielinski (Chair) - 4

NOES: Bailey, Cesarz and McDonald - 3

MOTION BY: (MC DONALD) Amend Supervisor Diliberti's Substitute resolution/ordinance by adding the following on line 55: The language in Section 9.05(2)(l) shall be included in all Request For Proposal (RFP) and bid documents. **(Vote 7-0)**

AYES: Supervisors Bailey, Krug, Cesarz, T. Johnson, McDonald, Clark and Zielinski (Chair) - 7

NOES: 0

MOTION BY: (MC DONALD) Approve the resolution/ordinance as amended.
(Vote 5-2)

AYES: Supervisors Bailey, Krug, T. Johnson, McDonald and Zielinski (Chair) -5

NOES: Cesarz and Clark - 2

SCHEDULED ITEMS (CONTINUED):

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)*:

16. 04-44 From Principal Assistant Corporation Counsel, requesting approval of settlement of claim for attorney fees arising from the litigation of Bruno et al. v. Milwaukee County et al. **(Corporation Counsel recommends payment of \$35,000 in full satisfaction of any claim for attorney fees arising from this litigation.)** (Tape #27A-734)

MOTION BY: (BAILEY) Approve items 16-20. **(Vote 7-0)**

AYES: Supervisors Bailey, Krug, Cesarz, T. Johnson, McDoonald, Clark and Zielinski (Chair) - 7

NOES: 0

17. 04-43 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Annie Smith. **(Corporation Counsel recommends payment of \$9,000 in full settlement of all of her claims.)**

SEE ACTION UNDER ITEM 16.

18. 04-81 From Principal Assistant Corporation Counsel, Mary Boyd v. Milwaukee County. **(Corporation Counsel recommends payment of \$2500.00)**

SEE ACTION UNDER ITEM 16.

19. 03-440 From Deputy Corporation Counsel, requesting approval of settlement of a claim to the City of Franklin. **(Corporation Counsel recommends payment of \$2,480.40 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 16.

SCHEDULED ITEMS (CONTINUED):

20. 04-39 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Rebecca E. Olson. **(Corporation Counsel recommends payment of \$2,231.79 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 16.

STAFF PRESENT: Luisa Ginnetti, Research Analyst, County Board
Inspector Kevin Carr, Sheriff's Department
Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction
Lisa Marks, Deputy Director, Child Support Enforcement
Agnes Marcinowski, Operations Manager, Child Support Enforcement
Bud Borja, Chief Information Officer, IMSD
Debra Lewis, Manager for Technical Services, IMSD
William Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 10:40 a.m.

Linda Durham

Linda Durham, Committee Clerk

Chairperson: Supervisor T. Anthony Zielinski
Clerk: Linda Durham, 278-4225
Research Analyst: Luisa Ginnetti, 278-5290

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, March 4, 2004 - 9:00 A.M.
Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 27: Side B, #080 to end of tape
TAPE No. 28: Side A, #001 to #453

PRESENT: Supervisors Krug, Cesarz, T. Johnson, Clark and Zielinski (Chairman)

EXCUSED: Supervisors Bailey and McDonald

Scheduled Items:

1. 03-134 (a) From the Sheriff, Pharmacy Cost Update. **(FOR INFORMATION ONLY)** (Tape #27B-087).

APPEARANCES: Michael Kalonick, Program Administrator, Health & Mental Health Programs

NO ACTION WAS REQUIRED BY THE COMMITTEE.

2. 04-J-1 Informational report from the State Department of Corrections on the affect of the jail cap on the Probation department. (Tape #27B-187)

APPEARANCES: Kathy Ware, Assistant Chief, Probation and Parole
Inspector Kevin Carr, Sheriff's Department
Jon Priebe, Public Safety Fiscal Administrator, Sheriff's Dept.

Discussion ensued at length regarding inmates with misdemeanor and felony convictions sentenced to the Criminal Justice Facility vs. the Jail. There was also considerable discussion relative to what the actual cap number will be for violation of probation prisoners that the Jail will agree to hold.

NO ACTION WAS REQUIRED BY THE COMMITTEE.

SCHEDULED ITEMS (CONTINUED):

3. 03-593 Report, referred back 2/5/04, recommending adoption of a substitute resolution/ordinance by Supervisor Diliberti to prohibit a person(s) with a personal financial interest in the approval or denial of a contract being considered by a County department or with an agency funded and regulated by a County department, from making a campaign contribution to any elected County official who has approval authority during the contract's consideration. (Tape #28A-005)

APPEARANCES: Bill Domina, Corporation Counsel

Supervisor T. Johnson provided an amendment to Supervisor Diliberti's substitute resolution/ordinance.

Supervisor Diliberti advised that he supports Supervisor T. Johnson's amendment.

MOTION BY: (T. JOHNSON) Moved approval of his amendment. **(Vote 5-0)**

AYES: Supervisors Krug, Cesarz, T. Johnson, Clark and Zielinski (Chair) - 5

NOES: 0

EXCUSED: Bailey and McDonald

MOTION BY: (KRUG) Approve as amended.

Supervisor Cesarz requested that Corporation Counsel refresh the Committee's memory as to what this resolution/ordinance will accomplish and if there are other areas that may be grey areas.

Bill Domina, Corporation Counsel, provided the information requested.

Luisa Ginnetti, Research Analyst, indicated that the language in Supervisor T. Johnson's amendment was already incorporated into the document when it became a substitute resolution and went before the Board.

Supervisor Krug withdrew his motion to approve as amended.

MOTION BY: (KRUG) Reconsideration on the amendment. **(Vote 5-0)**

AYES: Supervisors Krug, Cesarz, T. Johnson, Clark and Zielinski (Chair) - 5

NOES: 0

EXCUSED: Bailey and McDonald

SCHEDULED ITEMS (CONTINUED):

Supervisor T. Johnson withdrew his amendment.

MOTION BY: (KRUG) Approve the resolution/ordinance. **(Vote 5-0)**

AYES: Supervisors Krug, Cesarz, T. Johnson, Clark and Zielinski (Chair) – 5

NOES: 0

EXCUSED: Bailey and McDonald

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)*:

4. 01-593 From Principal Assistant Corporation Counsel, requesting approval of settlement of a claim to Steven Tatro. **(Corporation Counsel recommends payment of \$15,000 in settlement of all of his claims.)** (Tape 28A-227)

MOTION BY: (CLARK) Approve items 4-7. **(Vote 5-0)**

AYES: Supervisors Krug, Cesarz, T. Johnson, Clark and Zielinski (Chair) - 5

NOES: 0

EXCUSED: Bailey and McDonald

5. 04-121 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Mario Sheffa. **(Corporation Counsel recommends payment of \$12,149 in full settlement of all claims.)**

SEE ACTION UNDER ITEM 4.

6. 04-120 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Denean Morris & Terran Ransaw. **(Corporation Counsel recommends payment of \$3850.92 to Denean Morris and \$600 to her son, Terran Ransaw.**

SEE ACTION UNDER ITEM 4.

7. 04-84 From Attorney Robert L. Elliott, submitting a claim on behalf of **Joan Kimmel, Randy J. Tylke, et al.**, for injuries and damages allegedly sustained by all nonrepresented employees of Milwaukee County for the 2004 pay raises which were rescinded with the adoption of the 2004 budget.

SEE ACTION UNDER ITEM 4.

SCHEDULED ITEMS (CONTINUED):

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

8. From Corporation Counsel, status update of all of the pension litigation cases.

MOTION BY: (KRUG) adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of receiving oral or written advice from legal counsel concerning strategy to be adopted with regard to the above subject matter. **(Vote: 4-0)**

AYES: Supervisors Krug, Cesarz, T. Johnson and Zielinski (Chair) - 4

NOES: 0

EXCUSED: Bailey, McDonald and Clark

The Committee adjourned into closed session at approximately 10:45 a.m. and did not reconvene in open session.

ADDENDUM ITEM

9. 04-J-2 From the Sheriff, Inmate Medical Services Reorganization
(FOR INFORMATION ONLY) (Tape 28A-234)

This item was taken out of order.

APPEARANCES: Michael Kalonick, Program Administrator, Correctional Healthcare Services
Inspector Kevin Carr, Sheriff's Department
Rosemarie McDowell, AFSCME Local 1055
Linda Federighe, Wisconsin Federation of Nurses & Health Professionals

Rosemarie McDowell expressed opposition to the Inmate Medical Services reorganization, specifically the abolishment of the Unit Clerk and LPN positions.

Linda Federighe indicated that the Federation of Nurses & Health Professionals are in support of the changes proposed in the reorganization; particularly the creation of the RN Mental Health Nurse, both downtown and at the House of Corrections and the Pool Nurse Practitioner position. However, their concern is whether a Pool Nurse Practitioner can be hired at the current salary.

NO ACTION WAS REQUIRED BY THE COMMITTEE.

SCHEDULED ITEMS (CONTINUED):

STAFF PRESENT: Luisa Ginnetti, Research Analyst, County Board
 Michael Kalonick, Program Administrator, Correctional Healthcare
 Services
 Kathy Ware, Assistant Chief, Probation and Parole
 Inspector Kevin Carr, Sheriff's Department
 William Domina, Corporation Counsel
 Jon Priebe, Public Safety Fiscal Administrator, Sheriff's Department

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Adjourned: 10:45 a.m.

Linda Durham

Linda Durham, Committee Clerk

Chairperson: Supervisor Gerry P. Broderick
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, May 13, 2004 - 9:00 A.M.
Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 1: Side A, #005 to #328

PRESENT: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman)

Scheduled Items:

1. 04-182 From Superintendent, House of Correction, requesting authorization to accept grant funds from the Bureau of Justice Assistance to enhance services at the Milwaukee County Community Justice Resource Center. (Tape #1A-029)

APPEARANCES: Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction

Supervisor DeBruin requested that Mr. Malone provide her with evaluation statistics for the program. Mr. Malone indicated that he will also provide quarterly reports regarding the program to committee members.

Supervisor DeBruin suggested that the committee send a letter to Congressman Kleczka thanking individuals responsible for the grant to the Milwaukee County House of Correction.

Mr. Malone extended an invitation to committee members to visit the House of Correction, particularly, the Community Justice Resource Center.

Questions and comments ensued.

MOTION BY: (DEBRUIN) Approve. **(Vote 7-0)**

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine, and Broderick (Chair) – 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

2. 04-183 From Superintendent, House of Correction, requesting authorization to amend the current Professional Service Contract with Wisconsin Community Service to increase expenditures by not more than \$71,000. (Tape #1A-185)

APPEARANCES: Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction

Questions and comments ensued.

MOTION BY: (SCHMITT) Approve. **(Vote 7-0)**

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine, and Broderick (Chair) - 7

NOES: 0

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

3. 04-189 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Pyramid Productions. **(Corporation Counsel recommends payment of \$11,102.48 in full settlement of this claim.)** (Tape #1A-248)

APPEARANCES: Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel

MOTION BY: (SCHMITT) Approve items 3, 4, 5 and 6 together. **(Vote: 7-0)**

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine, and Broderick (Chair) - 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

4. 04-192 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Allstate Insurance. **(Corporation Counsel recommends payment of \$2,633.25 in settlement of this claim.)**

SEE ACTION UNDER ITEM 3.

5. 04-193 From Deputy Corporation Counsel, requesting approval of settlement of a claim to City of Wauwatosa. **(Corporation Counsel recommends payment of \$850.34 in settlement of this claim.)**

SEE ACTION UNDER ITEM 3.

6. 04-190 From Deputy Corporation Counsel, requesting approval of settlement of a claim to American Family Insurance Group. **(Corporation Counsel recommends payment of \$625.00 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 3.

7. 04-188 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Josephine Marchese. **(Corporation Counsel recommends payment of \$19,051.66 in settlement of all claims against Milwaukee County.) (ALSO REFERRED TO FINANCE AND AUDIT)** (Tape # 1A-260)

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of receiving oral or written advice from Legal counsel with respect to Items 7-9. (Vote 7-0)

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

The Committee adjourned into closed session at approximately 9:40 a.m. and reconvened in open session at approximately 11:05 a.m. Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) were present.

APPEARANCES: Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel

MOTION BY (DEBRUIN) Approve item #7. (Vote 7-0)

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

8. 04-J-03 From Corporation Counsel, report as to the status of the pension litigation cases.

NO ACTION WAS TAKEN ON THIS ITEM.

9. 04-194 From Corporation Counsel, report as to the status of Milwaukee County vs. Juneau County, et. al

NO ACTION WAS TAKEN ON THIS ITEM.

The Committee recessed at approximately 11:10 a.m. and reconvened at 12:00 noon.

10. 04-J-04 From Corporation Counsel, report concerning Marquette Interchange Project Acquisition. (Tape #1A-318)

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of receiving oral or written advice from Legal counsel with respect to Item 10. (Vote 7-0)

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

The Committee adjourned into closed session at approximately 12:10 p.m. and did not reconvene into open session.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel

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SCHEDULED ITEMS (CONTINUED):

Adjourned: 1:00 p.m.

Linda Durham

Linda Durham, Committee Clerk

Chairperson: Supervisor Gerry P. Broderick
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

**SPECIAL MEETING OF THE
COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

Thursday, June 24, 2004 - 8:30 A.M.
Milwaukee County Courthouse - Room 201-B
MINUTES

TAPE No. 1: Side A, #330 to #392

PRESENT: Supervisors Rice, DeBruin*, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman)
*Supervisor DeBruin was not present at the time of the roll call, but arrived shortly thereafter.

Scheduled Items:

1. 04-161 From the Medical Examiner, requesting authorization to utilize the professional/administrative services of the Medical College of Wisconsin Affiliated Hospitals for the upcoming academic year. (Tape #1A-341)

APPEARANCES: Eileen Weller, Administrative Manager,
Medical Examiner's Office

MOTION BY: (SCHMITT) Approve. **(Vote 7-0)**

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman)

NOES: 0

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Eileen Weller, Administrative Manager, Medical Examiner's Office

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 8:40 a.m.

Linda Durham

Linda Durham, Committee Clerk

Chairperson: Supervisor Gerry P. Broderick
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, July 15, 2004 – 9:00 A.M.
Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 1: Side A, #393 to EOT
TAPE No. 1: Side B, #001 to EOT
TAPE No. 2: Side A, #001 to #232

PRESENT: Supervisors Rice, DeBruin*, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman)
*Supervisor DeBruin was not present at the time of the roll call, but arrived shortly thereafter.

Scheduled Items:

1. 04-298 From the Superintendent, House of Correction, requesting authorization to apply for grant funds in the amount of approximately \$103,000.00 from the Wisconsin Office of Justice Assistance for a Jail Based Treatment Program at the House of Correction (HOC). (Tape #1A-405)

APPEARANCES: Todd Ashworth, Assistant Superintendent, HOC
Jan Brylow, Program Manager, HOC

MOTION BY: (RICE) Approve. **(Vote 7-0)**

AYES: Supervisors Rice, *DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman) - 7

NOES: 0

*Supervisor DeBruin was not present at the time of the vote, but arrived shortly thereafter and requested to be recorded as voting "Aye".

2. 04-300 Resolution by Supervisor Dimitrijevic, authorizing and directing the Director, Department of Administrative Services, to implement a pilot initiative to increase the number of internal printing jobs directed to the House of Corrections Print Shop. (Tape #1A-434)

SCHEDULED ITEMS (CONTINUED):

APPEARANCES: Supervisor Dimitrijevic, County Board
Bud Borja, Chief Information Officer, IMSD
Linda Seemeyer, DAS
Michael Wergin, Print Shop Supervisor, HOC

Supervisor Dimitrijevic offered an amendment to this resolution and described its intent. A copy of the amendment is contained in the subject file.

Supervisor DeBruin expressed concern as to the Parks Department not being aware of this resolution and also to some of the language contained in the resolution.

Chairman Broderick advised that the committee might temporarily lay this item over to allow staff time to develop language that is acceptable to all parties concerned.

Questions and comments ensued.

MOTION BY: (DEVINE) Approve the amendment with the understanding that the item may be temporarily laid over. **(Vote 7-0)**

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman) - 7

NOES: 0

Questions and comments continued.

MOTION BY: (RICE) Approve as amended for purposes of discussion.

Questions and comments continued.

MOTION BY: (DEBRUIN) Delete the Parks Division and the Zoo from the resolution (lines 57 and 58) with the recognition that Supervisor Dimitrijevic contact them relative to their participation in the pilot on a voluntary basis. **(Vote: 7-0)**

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman) - 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to approve the resolution as amended: 7-0

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman) - 7

NOES: 0

3. 04-191 From Deputy Corporation Counsel, proposing a revision to Chapter 9 of the Milwaukee County Code of Ethics that governs Milwaukee County officials and employees. (Tape #2B-120)

APPEARANCES: Bob Andrews, Deputy Corporation Counsel

Supervisor Rice offered an amendment to the ordinance presented by Corporation Counsel, a copy of which is contained in the subject file.

MOTION BY: (RICE) Approve the amendment. **(Vote: 7-0)**

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman) - 7

NOES: 0

Questions and comments ensued.

MOTION BY: (DEBRUIN) Approve the resolution as amended. **(Vote: 7-0)**

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman) - 7

NOES: 0

4. 04-295 From Milwaukee Area Domestic Animal Control Commission (MADACC), submitting a proposed agreement for intergovernmental cooperation between MADACC and Milwaukee County for licensing of cats and dogs. (Tape #1B-335)

APPEARANCES: Jeannette Bell, Mayor, City of West Allis
Ron Hayward, President-Board of Directors, MADACC
Tim Seider, Mayor, City of Greenfield
Jim Ryan, Village of Hales Corners
Len Selkurt, Executive Director, MADACC
Mark Ryan, Milwaukee County Clerk

Mr. Howard, Mr. Seider, Mr. Jim Ryan and Mr. Selkurt spoke in support of the proposed Agreement for Intergovernmental Cooperation between MADACC and Milwaukee County. Mayor Jeannette Bell was not present at the time this item

SCHEDULED ITEMS (CONTINUED):

was called, however, she left word that she too is in support of the proposed agreement.

Mr. Mark Ryan advised that the financial aspect of the proposed agreement is handled by the Milwaukee County Treasurer's Office. He commented that the process is questionable in that Milwaukee County was not involved in any negotiation process with MADACC before this item was brought before this committee. He also expressed concern relative to the constitutionality of the Agreement.

Bob Andrews, Deputy Corporation Counsel, expressed his concerns relative to the proposed Agreement.

MOTION BY: (CESARZ) Approve.

Discussion ensued at length.

MOTION BY: (DEBRUIN) Refer to Corporation Counsel for a report back in the September cycle for analysis of the agreement submitted by MADACC, as well as analysis of the concerns raised by the County Clerk as to the constitutionality of the Agreement. Also refer to the Milwaukee County Clerk, Treasurer and County Board staff for their input and a fiscal note.

Discussion continued.

Vote on referral: 7-0

AYES: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman) - 7

NOES: 0

5. 04-123 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Liwanda Stewart **(Corporation Counsel recommends payment of \$1,569.83 in full settlement of this claim.)** (Tape #2A-209)

APPEARANCES: Bob Andrews, Deputy Corporation Counsel

MOTION BY: (SCHMITT) Approve items, 5, 6 and 7 together. **(Vote 7-0)**

AYES: Supervisors Rice, *DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman) - 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

*Supervisor DeBruin was not present at the time of the vote, but arrived shortly thereafter and requested to be recorded as voting "Aye".

6. 04-125 From Deputy Corporation Counsel, requesting approval of settlement of a claim to American Family Insurance. **(Corporation Counsel recommends payment of \$921.89 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 5.

7. 04-303 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Boucher Chevrolet. **(Corporation Counsel recommends payment of \$757.29 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 5.

8. 04-J-03 From Corporation Counsel, report as to the status of the Bilda I Pension Lawsuit. (Tape #2A-222)

MOTION BY: (RICE) Adjourn into closed session under the provision of Wisconsin Statutes, Section 19.85(1)(g), for the purposes of receiving oral or written advice from Legal counsel with respect to Items 8 and 9. (Vote 6-0)

AYES: Supervisors Rice, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman) – 6

NOES: 0

EXCUSED: Supervisor DeBruin

The Committee adjourned into closed session at approximately 10:50 a.m. and reconvened into open session at approximately 11:25 a.m. Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) were present.

NO ACTION WAS TAKEN ON THIS ITEM.

9. 04-J-04 From Corporation Counsel, discussion regarding Wisconsin Soccer Association Arbitration.

NO ACTION WAS TAKEN ON THIS ITEM.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Todd Ashworth, Assistant Superintendent, HOC
Jan Brylow, Program Manager, HOC

SCHEDULED ITEMS (CONTINUED):

Bud Borja, Chief Information Officer, MSD
Linda Seemeyer, DAS
Michael Wergin, Print Shop Supervisor, HOC
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Mark Ryan, Milwaukee County Clerk

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Adjourned: 11:30 a.m.

Linda Durham

Linda Durham, Committee Clerk

Chairperson: Supervisor Gerry P. Broderick
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, September 16, 2004 - 9:00 A.M.

Milwaukee County Courthouse - Room 203-R

MINUTES

TAPE No. 2: Side A, #237 to EOT
TAPE No. 2: Side B, #023 to EOT
TAPE No. 3: Side A, #001 to #685

PRESENT: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chairman)

SCHEDULED ITEMS:

1. 04-299 From County Executive, appointing Reverend Trinette Vernell McCray to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2010.
(Tape 2A-#369)

APPEARANCE:

County Executive Scott Walker
Reverend Trinette Vernell

MOTION BY: (SCHMITT) Approve. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devin, Broderick (Chair) - 7

NOES: 0

This item was taken out of order.

2. 04-367 From County Executive, (re)appointing John Hayes to the position of Director of the Department of Child Support Enforcement for Milwaukee County.
(Tape 2A-#327)

APPEARANCE:

County Executive Scott Walker
John Hayes, Director, Department of Child Support Enforcement

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (DE BRUIN) Approve. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine, Broderick (Chair) - 7

NOES: 0

This item was taken out of order.

3. 04-366 From County Executive, (re)appointing Ron Malone to the position of Superintendent of the House of Correction for Milwaukee County.
(Tape 2A-#338)

APPEARANCE:

County Executive Scott Walker

Ron Malone, Superintendent of the House of Correction

MOTION BY: (RICE) Approve.

Comments ensued.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine, Broderick (Chair) - 7

NOES: 0

This item was taken out of order.

4. 04-414 From Superintendent, House of Correction, Notification of Closure of Farm and Fish Hatchery **(FOR INFORMATION ONLY) (Also referred to Committee on Finance and Audit)** (Tape 2B-#36)

APPEARANCES:

John Hayes, Director, Department of Child Support Enforcement

Ron Malone, Superintendent, House of Correction

Jon Priebe, Public Safety Fiscal Administrator, Sheriff's Dept

Jan Brylow, Programs Manager, House of Correction

Todd Ashworth, Administration, House of Correction

Supervisor Mark Borkowski, 11th District

Steve Mokrohisky, County Executive's Office

Mr. Malone reviewed the subject report.

Discussion ensued.

SCHEDULED ITEMS (CONTINUED):

Members of the Committee expressed concerns relative to the Farm and Fish Hatchery being repeatedly targeted for closure. This is the third consecutive year this item has come before the Board.

Ms. Brylow shared with Committee members some of the grant opportunities they pursued for the program.

Supervisor Devine requested a list of groups/agencies contacted for funding the Farm and Fish Hatchery.

Supervisor DeBruin requested that House of Correction staff report back on opportunities for any law enforcement funds, through a new definition of what law enforcement is, including recidivism, and meet with DHHS and the Parks Department to see if there are creative opportunities with them to obtain funding. She advised that she will contact the Director of Parks and Public Infrastructure to request that they cooperate fully and possibly provide some assistance in the type of fishing organizations that exist in the community to find out if there is a funding contribution vehicle.

Chairman Broderick commented that he is consistently disturbed by the attempt to eliminate this program.

Supervisor DeBruin requested that Chairman Broderick communicate to the Administration the concern regarding the strong commitment the County Board has had relative to this program.

The following individuals registered in opposition to closing the Farm and Fish Hatchery:

Wayne A. Avery, Kids Fishing Clinics
Alicia Ellis, Central City Churches Pantry
Eric Skindzelewski, Lakeshore Fisherman
Sherrie Tussler, Executive Director, Hunger Task Force
Heather Dummer Combs, Hunger Task Force
Ted Lind, President, Wisconsin Council of Sport Fishing Organizations
David Mueller, Employee, Farm & Fish Hatchery
E.B. Garner, Retired County Employee

Supervisor Borkowski appeared before the Committee and expressed various concerns.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (DE BRUIN) To support the long-term operation of the farm & fish hatchery by directing County Board staff to work with the County Executive, the County Board, the House of Correction, Hunger Task Force and interested parties to immediately develop a farm and fish hatchery operational support committee for the purpose of developing community partnerships and funding opportunities and other vehicles for operational funding for the farm and fish hatchery for both the long and short-term; and directing County Board staff to report during 2005 budget deliberations regarding bridge funding possibilities for 2005, with a final report regarding long-term operational plans due to the Committee on Judiciary, Safety and General Services in December 2004.

Comments ensued.

Mr. Mokrohisky commented on the County Executive's position relative to this program.

Supervisor Borkowski requested that all County Board Supervisors receive a copy of the letter forwarded to the Hunger Task Force from the County Executive's Office mentioned in Mr. Mokrohisky's comments.

Supervisor Schmitt commented on public/private partnerships and thanked Gerard Randall from the Private Industry Council (PIC) for working with Milwaukee County relative to the Farm and Fish Hatchery.

Supervisor Weishan commented on the commitment needed from Milwaukee County Government for this program. He also thanked the PIC for their input but advised that Milwaukee County has also done their share of work for the PIC.

Vote on motion by Supervisor DeBruin: 7-0

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

5. 04-381 From Superintendent, House of Correction, Requesting authorization to execute amended professional service contracts with the Community Service Providers for Enhanced Services at the Milwaukee County Community Justice Resource Center. (Tape 3A-#487)

APPEARANCES:

Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction

MOTION BY: (CESARZ) Approve (Vote: 7-0)

SCHEDULED ITEMS (CONTINUED):

AYES: Rice, DeBruin*, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

*Supervisor DeBruin was out of the room when the vote was taken on this item; however, upon her return, she requested to be recorded as voting "aye". There being no objection, it was so ordered.

6. 04-295 From Milwaukee Area Domestic Animal Control Commission (MADACC), submitting a proposed agreement for intergovernmental cooperation between MADACC and Milwaukee County for licensing of cats and dogs.
(7/15/04: Referred to Corporation Counsel, Milwaukee County Clerk, Treasurer and County Board staff) (Also referred to Committee on Finance and Audit) (REPORT FROM STAFF) (Tape 2A-#403)

APPEARANCES:

Steve Cady, County Board Fiscal and Budget Analyst
Mayor Tim Seider, City of Greenfield
Jim Ryan, Village of Hales Corners
Ron Hayward, President-Board of Directors, MADACC
Len Selkurt, Executive Director of MADACC
Mark Ryan, Milwaukee County Clerk

Mr. Cady reviewed a report requested by this Committee at its July 22, 2004 meeting, a copy of which is contained in the subject file. The report included information relative to County Clerk duties, County Treasurer duties, County Clerk and County Treasurer views, analysis and a recommendation by County Board staff. Attached was a separate report from Corporation Counsel as to the legality of the proposed agreement. He also reviewed the resolution regarding this matter.

Mr. Cady advised that an intergovernmental agreement is possible, although the one that was originally proposed in July could use a little work. He recommended that a work group be established to develop a revised Intergovernmental Agreement with the goal of transferring all dog and cat licensing functions from Milwaukee County to MADACC beginning with the 2006 license year. The work group would include representatives from the County Clerk, County Treasurer, Corporation Counsel, County Board staff, as well as MADACC, and its charge shall be to develop a revised intergovernmental agreement and County Ordinance changes required to properly transfer pet licensing duties to MADACC. The County Board must approve the final intergovernmental agreement and County Ordinance changes recommended by the Work Group prior to MADACC assuming these duties.

SCHEDULED ITEMS (CONTINUED):

Questions and comments ensued.

MOTION BY: (DE BRUIN) Approve the resolution.

Questions and comments continued.

Representatives from MADACC distributed a handout to the Committee (a copy of which is contained in the subject file). Mayor Seider reviewed the handout.

Questions ensued relative to the timing of transferring dog and cat licensing functions from Milwaukee County to MADACC. Mayor Seider indicated that MADACC is prepared to take over functions in January, 2005.

MOTION BY: (CESARZ) Delete "beginning in 2006" from line 54 of the resolution, substitute language with "as soon as reasonably possible and agreed to by all parties" and delete "beginning with the 2006 pet license year" from line 58, substitute language with "as soon as reasonably possible and agreed to by all parties and that any expenses incurred by the County Clerk up to and through any process transferred to MADACC would be reimbursed by MADACC and member communities."

Supervisor DeBruin accepted the above as a friendly amendment.

Further comments ensued.

The County Clerk indicated that it would not be feasible administratively to start and stop licensing functions within a year.

Chairman Broderick commented that if the transfer of functions from Milwaukee County to MADACC takes place in 2005 as opposed to 2006, that supervisors who voted in favor of it stand ready at budget time to make whole the County Clerk's office, given fiscal difficulties.

Vote on the motion to approve the resolution as amended: 6-1

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz and Devine - 6

NOES: Broderick (Chair) - 1

7. 04-365 Resolution by Supervisor Rice, Authorizing and directing a) the drafting of material revisions to Chapter 14 of the Milwaukee County General Ordinances relating to the Regulation of Lobbying and b) an operational review of the administration of lobbying regulations. (Tape 3A-#508)

Supervisor Rice summarized his resolution and made comments relative to it.

SCHEDULED ITEMS (CONTINUED):

Questions and comments ensued.

MOTION BY: (CESARZ) Approve. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

Chairman Broderick and Supervisors DeBruin, Schmitt, Cesarz and Devine indicated that they would like to be recorded as co-sponsors of this resolution.

8. 04-382 Resolution by Supervisor Broderick, Authorizing the Sheriff's Department to work with Department of Audit and County Board staff to analyze and report on the fiscal, safety and enforcement effects of the July 2002 reduction in the number of Deputy Sheriff's assigned to patrol Milwaukee County's expressways and the reduction in the number of expressway patrol sectors. **(Also referred to Committee on Finance and Audit)** (Tape 3A-#595)

Chairman Broderick accepted the friendly amendment from Supervisor Weishan relative to this resolution as set forth below.

1. **MODIFY** the BE IT RESOLVED clause as follows:

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby authorizes the ~~Sheriff's Department to work with the~~ Department of Audit and County Board staff to analyze and report on the fiscal, safety and enforcement effects of the July 2002 reduction in the number of Deputy Sheriff's assigned to patrol Milwaukee County's expressways and the reduction in the number of expressway patrol sectors; and

2. **MODIFY** the BE IT FURTHER RESOLVED clause as follows:

BE IT FURTHER RESOLVED, that the ~~Sheriff's~~ Audit Department shall submit the aforementioned report to the Committees on Finance and Audit and Judiciary, Safety and General Services by ~~November 15, 2004~~ upon completion.

MOTION BY: (DEVINE) Approve the resolution as amended.

Questions and comments ensued.

SCHEDULED ITEMS (CONTINUED):

Supervisor DeBruin proposed a friendly amendment to delete "and County Board staff" from the first Be It Resolved clause.

Chairman Broderick accepted.

Vote on the motion to approve as amended: 7-0

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) -7

NOES: 0

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)*:

9. 04-380 From Deputy Corporation Counsel, requesting approval of settlement of claim to William Hoag. **(Corporation Counsel recommends payment of \$10,000 in settlement of the lawsuit.)**

APPEARANCE:

Robert Andrews, Deputy Corporation Counsel

Chairman Broderick advised that items 9-19 will be taken together. Supervisor DeBruin requested separate action on items 10 and 15.

MOTION BY: (RICE) Approve the balance of the items. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

10. 04-379 From Deputy Corporation Counsel, requesting approval of settlement of claim to John L. Dye, Jr. **(Corporation Counsel recommends payment of \$5,000 in settlement of this claim.)**

Chairman Broderick advised that items 10 and 15 will be taken together.

MOTION BY: (CESARZ) Approve. (Vote: 6-1)

AYES: Rice, Schmitt, Weishan, Cesarz, Devine and Broderck (Chair) – 6

NOES: DeBruin - 1

11. 04-374 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Pedro Ransburg. **(Corporation Counsel recommends payment of \$5,000 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 9.

12. 04-353 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Vance Werner. **(Corporation Counsel recommends payment of \$2,642.40 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 9.

13. 04-336 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Dwayne Burtin. **(Corporation Counsel recommends payment of \$2,300 in settlement of this claim.)**

SEE ACTION UNDER ITEM 9.

14. 04-260 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Expedited Freight Systems. **(Corporation Counsel recommends payment of \$1,327.82 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 9.

15. 04-165 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Mary A. Walgenbach. **(Corporation Counsel recommends payment of \$1,000 in settlement of this claim.)**

SEE ACTION UNDER ITEM 10.

SCHEDULED ITEMS (CONTINUED):

16. 04-384 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Minas Hajigeorgiou. **(Corporation Counsel recommends payment of \$850 in settlement of this claim.)**

SEE ACTION UNDER ITEM 9.

17. 04-350 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Myles Marshall. **(Corporation Counsel recommends payment of \$712.12 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 9.

18. 04-383 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Gloria Beckner. **(Corporation Counsel recommends payment of \$698.02 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 9.

19. 04-231 From Deputy Corporation Counsel, requesting approval of settlement of a claim to Milwaukee County Transit System. **(Corporation Counsel recommends payment of \$535.95 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 9.

20. 04-J-3 From Corporation Counsel, report as to the status of the Bilda I Pension Lawsuit.

APPEARANCE:

Bill Domina, Corporation Counsel

MOTION BY: (RICE) Adjourn into closed session under the provision of Wisconsin Statutes, Section 19.85(1)(g), for the purposes of receiving oral or written advice from Legal counsel with respect to Items 20 and 23. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

The Committee adjourned into closed session at approximately 11:40 a.m. and did not reconvene into open session.

NO ACTION WAS TAKEN ON THIS ITEM.

SCHEDULED ITEMS (CONTINUED):

21. 04-390 From Director, Department of Administrative Services, requesting approval of a Joint Spending Plan with the City of Milwaukee for use of 2004 Local Law Enforcement Block Grant funds. **(Also referred to Committee on Finance and Audit)** (Tape 3A-#656)

APPEARANCE:

Vera Westphal, Department of Administrative Services

MOTION BY: (DE BRUIN) Approve. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

This item was taken out of order.

22. 04- Resolution by Supervisors Quindel and Coggs-Jones, authorizing the Milwaukee County Sheriff to initiate negotiations with the City of Milwaukee to provide 'first response' services to City of Milwaukee residents with home security systems, and requesting a report on the issues related to providing this service. **(Also referred to Committee on Finance and Audit)**

Chairman Broderick advised that this item was withdrawn.

23. 04-J-6 **From Corporation Counsel, report on the status of Estate of Sarah Hegarty vs. Beauchaine, et al.**

SEE ACTION UNDER ITEM 21.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction
Todd Ashworth, Administration, House of Correction
Jon Priebe, Public Safety Fiscal Administrator, Sheriff's Dept
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel

SCHEDULED ITEMS (CONTINUED):

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Adjourned: 12:25 p.m.

Linda Durham

Linda Durham, Committee Clerk

Chairperson: Supervisor Gerry P. Broderick
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, October 21, 2004 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

M I N U T E S

TAPE No. 3: Side B, #006 to #405

PRESENT: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderck (Chair)

SCHEDULED ITEMS:

1. 04-191 Report, referred back 9/30/04, recommending adoption of a resolution/ordinance amending Chapter 9 of the General Ordinances of Milwaukee County relating to the Code of Ethics for the purpose of strengthening the code and to cause the code to be more compatible with the State of Wisconsin's Code of Ethics.
(Tape 3B-#30)

APPEARANCES:

Bob Andrews, Deputy Corporation Counsel
Supervisor Michael Mayo, Sr.

Mr. Andrews provided brief comments relative to the background of this item.

Supervisor Mayo expressed his concerns and requested that the Committee layover this item until the next cycle.

MOTION BY: (WEISHAN) Layover.

Discussion ensued.

Vote on the motion to layover: 5-2

AYES: DeBruin, Schmitt, Weishan, Devine and Broderick (Chair) - 5

NOES: Rice and Cesarz - 2

SCHEDULED ITEMS (CONTINUED):

2. 04-300(a) From Director, Department of Administrative Services, and Superintendent, House of Correction, regarding preliminary report on House of Correction Print Shop Pilot. (*Submitted pursuant to a resolution adopted on 7/29/04.*)
(INFORMATIONAL) (NO ACTION REQUIRED) (Tape 3B-#146)

APPEARANCES:

Ronald Malone, Superintendent, House of Correction

Linda Seemeyer, Director, Department of Administrative Services

Mr. Malone and Ms. Seemeyer provided comments relative to the subject report.

Questions and comments ensued.

NO ACTION WAS TAKEN ON THIS INFORMATIONAL REPORT.

This item was taken out of order.

3. 99-46 From Chief Information Officer, IMSD, requesting authorization to enter into an
(a)(h) intergovernmental agreement with the Village of Greendale permitting access to Milwaukee County's 800 MHz trunked radio system for an initial ten-year period, and for successive ten-year periods thereafter. (Tape 3B-#241)

APPEARANCES:

Bud Borja, Chief Information Officer, IMSD

Deborah Lewis, Manager, Technical Services, IMSD

Questions and comments ensued.

MOTION BY: (DEBRUIN) Approve items 3 and 4 together.

Supervisor DeBruin requested that Mr. Borja provide her with a copy of the Inter-Governmental Agreement (IGA).

Vote on approval of items 3 and 4: 7-0

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) -7

NOES: 0

This item was taken out of order.

SCHEDULED ITEMS (CONTINUED):

4. 99-46 From Chief Information Officer, IMSD, requesting authorization to enter into an
(a)(i) intergovernmental agreement with the UWM Police Department permitting access to Milwaukee County's 800 MHz trunked radio system for an initial ten-year period, and for successive ten-year periods thereafter.

SEE ACTION UNDER ITEM 3.

5. 04-444 From Superintendent, House of Correction, requesting approval to apply for and accept grant funds available for Jail Literacy Programming from the State of Wisconsin, Office of Justice Assistance in the amount of \$60,299 and authorize the House of Correction to provide a 10% cash match totaling \$6,699.
(Tape 3B-#212)

APPEARANCE:

Jan Brylow, Programs Manager, House of Correction

Ms. Brylow reviewed the subject report.

MOTION BY: (RICE) Approve. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

This item was taken out of order.

6. 04-J-8 From Administrator, Election Commission, report regarding the status of the plan to handle the printing of ballots for the 2004 election. **(INFORMATIONAL) (NO ACTION REQUIRED)**

Chairman Broderick advised that this item was withdrawn.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

SCHEDULED ITEMS (CONTINUED):

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)*:

7. 04-429 From Principal Assistant Corporation Counsel, Kathleen Maloney v. Milwaukee County. **(Corporation Counsel recommends a total payment of \$34,000 in settlement of the lawsuit)** (Tape 3B-#342)

APPEARANCE:

Mark Grady, Principal Assistant Corporation Counsel

Chairman Broderick advised that items 7-12 will be taken together.

Supervisor DeBruin requested separate action on item 7.

Supervisor DeBruin expressed concerns relative to critical care personnel not being able to perform CPR or emergency evacuation services. She also expressed concern as to whether or not other departments (House of Correction, Jail, etc.) were contacted about developing a documentation procedure to document employees that cannot provide the aforementioned services.

MOTION BY: (DE BRUIN) Approve. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

8. 04-280 From State Farm Insurance Companies, submitting a claim under their subrogation rights of their insured, Michael J. Kugler, for reimbursement of payment made for alleged damages sustained to his automobile resulting in an accident with a Milwaukee County-owned vehicle on April 26, 2004. **(Corporation Counsel recommends payment of \$2,465.48 in full settlement of this claim.)** (Tape 3B-#331)

APPEARANCE:

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (RICE) Approve items 8-12. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

SCHEDULED ITEMS (CONTINUED):

9. 04-306 From Richard Hug, submitting a claim for damages allegedly sustained to his automobile when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$1,319.87 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 8.

10. 04-428 From Deputy Corporation Counsel, Louis Williams v. Milwaukee County House of Correction. **(Corporation Counsel recommends payment of \$1,170.00 in full settlement of all claims.)**

SEE ACTION UNDER ITEM 8.

11. 04-305 From Sylvia Balko, submitting a claim for damages allegedly sustained to her automobile while driving over some yellow paint in the road that just had been striped on College Avenue between 35th & 43rd Street. **(Corporation Counsel recommends payment of \$913.64 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 8.

12. 04-281 From Stephanie R. Hampton, submitting a claim for damages allegedly sustained to her automobile which was hit by a Milwaukee County-owned lawn mower while parked in the employee parking lot at the Behavioral Health Division. **(Corporation Counsel recommends payment of \$710.53 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 8.

13. 04-J-3 From Corporation Counsel, update regarding the Bilda I Pension lawsuit. (Tape 3B-#396)

APPEARANCES:

Bill Domina, Corporation Counsel

John Schapekahm, Deputy Corporation Counsel

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purposes of receiving oral or written advice from Legal counsel with respect to Items 13 and 14. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

The Committee adjourned into closed session at approximately 9:30 a.m. and did not reconvene into open session.

NO ACTION WAS TAKEN ON THIS ITEM.

14. 04-J-7 From Corporation Counsel, update regarding the Christensen lawsuit concerning jail overcrowding.

SEE ACTION UNDER ITEM 13.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Linda Seemeyer, Director, DAS
Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction
Bill Domina, Corporation Counsel
Bud Borja, Chief Information Officer, IMSD
Deborah Lewis, Manager, Technical Services, IMSD
Mark Grady, Assistant Principal Corporation Counsel
John Schapekahm, Deputy Corporation Counsel
Bob Andrews, Deputy Corporation Counsel

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 10:45 a.m.

Linda Durham

Linda Durham, Committee Clerk

Chairperson: Supervisor Gerry P. Broderick
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

**SPECIAL MEETING OF THE
COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

Monday, November 1, 2004 - 300 P.M.

Milwaukee County Courthouse - Room 201-B

M I N U T E S

TAPE No. 3: Side B, #408 to #445

PRESENT: Supervisors Rice, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair)

ABSENT: Supervisor DeBruin

SCHEDULED ITEMS:

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

1. 04-464 From Principal Assistant Corporation Counsel, requesting approval of payment in an amount not to exceed \$32,560.86 for settlement of the claims of **Frederick Larry**, including ancillary subrogation claims, in return for dismissal of the pending lawsuit. (Tape 3B-#427)

APPEARANCES:

John E. Schapekahm, Principal Assistant Corporation Counsel
Bill Domina, Corporation Counsel
John Rath, Risk Management

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purposes of receiving oral or written advice from Legal counsel with respect to Items 1 and 2. (Vote: 6-0)

AYES: Rice, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) – 6

NOES: 0

ABSENT: DeBruin

SCHEDULED ITEMS (CONTINUED):

The Committee adjourned into closed session at approximately 3:01 p.m. and reconvened into open session at approximately 3:30 p.m. Supervisors Rice, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) were present.

MOTION BY: (RICE) Approve. (Vote: 6-0)

AYES: Rice, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 6

NOES: 0

ABSENT: DeBruin

2. 04-465 From Deputy Corporation Counsel, requesting approval for payment of \$250,000 to **Ashley Morris** and \$185,000 to **Kenneth Morris** and their attorneys, **Warshafsky, Rotter, Tarnoff, Reinhardt and Bloch, S.C.**, in full settlement of all claims and dismissal of the pending lawsuit. (Tape 3B-#436)

APPEARANCES:

Bill Domina, Corporation Counsel

Bob Andrews, Deputy Corporation Counsel

John Rath, Risk Management

MOTION BY: (RICE) Approve. (Vote: 6-0)

AYES: Rice, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 6

NOES: 0

ABSENT: DeBruin

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Martin Weddle, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
John E. Schapekahm, Deputy Corporation Counsel
John Rath, Risk Management

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. Committee "green files" contain copies of resolutions, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 3:31 p.m.

Linda Durham

Linda Durham, Committee Clerk

Chairperson: Supervisor Gerry P. Broderick
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, December 2, 2004 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 3: Side B, #449 to EOT
TAPE No. 4: Side A, #001 to EOT
TAPE No. 4: Side B, #001 to EOT
TAPE No. 5: Side A, #001 to 316

PRESENT: Supervisors Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair)

SCHEDULED ITEMS:

1. 04-456 Resolution/Ordinance by Supervisor Borkowski, to amend Sections 11.06, 23.04 and 91.10 and to create Sections 63.036, 63.037 and 24.015 of the Milwaukee County General Ordinances to prohibit certain conduct, specifically loitering upon county premises, passing of bodies or objects at Miller Park, abuse of the "9-1-1" emergency telephone system, use of forged or falsified identification cards by underage persons and possession of alcohol beverages on school grounds, and establishing penalties; and to amend s.63.09 of the Milwaukee County General Ordinances, the schedule of cash deposits and maximum penalties, accordingly. (Tape #3B-457)

APPEARANCES:

Supervisor Mark Borkowski, County Board of Supervisors
Brian Conte, Milwaukee Deputy Sheriff Association
Joe Kuntner, Milwaukee Deputy Sheriff Association

Mr. Conte and Mr. Kuntner commented on the subject resolution/ordinance.

Questions and comments ensued.

MOTION BY: (DE BRUIN) Amend language under Section 2, 23.04 Loitering prohibited, (2), line 105 of the ordinance to read "The director of parks and public infrastructure, or his or her designee, shall be empowered to make and administer rules to assist in keeping all public areas of county buildings and

SCHEDULED ITEMS (CONTINUED):

other county premises free of loiterers and utilizing the assistance of the Sheriff when necessary.

Questions and comments continued.

MOTION BY: (SCHMITT) Approve the resolution as amended. (Vote: 7-0).

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

2. 04-499 Resolution by Supervisors Cesarz and West, calling for a review of billing and collection functions performed by County Departments, to include collection percentages, an explanation of any uncollected fees, and recommendations to aid collection efforts and suggestions for new and increased fees deemed appropriate by the Departments. (Tape #4A-015)

APPEARANCES:

Supervisor Paul Cesarz, County Board of Supervisors
Tom Burant

Supervisor Cesarz provided an amendment to this item.

MOTION BY: (CESARZ) Amend the date in the BE IT RESOLVED clause from February to March 2005. Add Judiciary, Safety and General Services after Finance and Audit. Add a BE IT FURTHER RESOLVED beginning on line 41 as follows: BE IT FURTHER RESOLVED, that the DAS report on billing and collection practices shall not include Combined Court Related Operations.

Supervisor Cesarz provided background information pertaining to this resolution.

Questions and comments ensued.

MOTION BY: (RICE) Approve the resolution as amended.

Supervisor Rice requested to be a co-sponsor of this resolution. There being no objection, it was so ordered.

Comments and questions continued.

Vote on the motion to approve as amended: 7-0

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

SCHEDULED ITEMS (CONTINUED):

3. 04-510 From the Sheriff, requesting authorization to extend Professional Service Contracts with the Benedict Center. (Tape #4A-287)

APPEARANCES:

Inspector Kevin Carr, Sheriff's Department
Jan Brylow, Program Manager, House of Correction

Jan Brylow reviewed the subject report.

MOTION BY: (DE BRUIN) Approve with correction to dates from January, 2005 to February, 2005.

Supervisor DeBruin noted that the fiscal note with the appropriate signature have been filed.

Supervisor Weishan indicated that there is no dollar amount included in the report. He requested that it be included in the report before Board day.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

4. 04-513 From Superintendent, House of Correction, requesting authorization to extend Professional Service Contracts with current service providers. (Tape #4A-335)

APPEARANCES:

Ronald Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction

MOTION BY: (DE BRUIN) Approve with the recognition that the contract date be changed from January, 2005 to February, 2005 and the funding dollars be included in the report before Board day.

Supervisor DeBruin noted that the fiscal note with the appropriate signature have been submitted.

Vote on the motion made by Supervisor DeBruin: 7-0

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 1
NOES: 0

SCHEDULED ITEMS (CONTINUED):

5. 04-509 From Superintendent, House of Correction, requesting authorization to amend Professional Service Contracts with Wisconsin Community Services for the Farm and Fish Hatchery. (Tape #4A-352)

APPEARANCES:

Ronald Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction
Steve Mokrohisky, County Executive's Office

Questions and comments ensued.

Supervisor DeBruin requested that the contract amount be included in the report before Board day.

Mr. Mokrohisky advised of the status of the committee that is being formed to examine funding options for the Farm and Fish Hatchery in 2006.

MOTION BY: (RICE) Approve. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine, Broderick (Chair) - 7

NOES: 0

6. 04-511 From Superintendent, House of Correction, requesting authorization to grant Temporary Limited Easement (TLE) to the Wisconsin Department of Transportation on West Ryan Road. (Tape #4A-414)

APPEARANCES:

Ron Malone, Superintendent, House of Correction
Bill Domina, Corporation Counsel

Questions and comments ensued.

MOTION BY: (DE BRUIN) Approve. (Vote: 7-0)

Supervisor DeBruin noted that the fiscal note with the appropriate signature have been submitted.

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

7. 04-479 From the Sheriff, requesting adoption of the National Incident Management System (NIMS) as its system of preparing for and responding to disaster incidents. (Tape #4A-442)

SCHEDULED ITEMS (CONTINUED):

APPEARANCES:

Inspector Kevin Carr, Sheriff's Department
Carl Stenbol, Director, Emergency Government

Mr. Stenbol reviewed the subject report.

Questions and comments ensued.

Supervisor DeBruin requested that a fiscal note be included with the report when it is brought back to the Committee in January.

***MOTION BY: (DE BRUIN) Layover until next cycle for additional information.
(Vote: 7-0)***

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

8. 04-480 From the Sheriff, requesting authorization to apply for and accept State and Federal funding available for 2005. (Tape #4A-545)

APPEARANCE:

Inspector Kevin Carr, Sheriff's Department
Carl Stenbol, Director, Emergency Management

MOTION BY: (RICE) Approve.

Questions and comments ensued.

Supervisor DeBruin indicated that she would like the reports to come back to this Committee before they are accepted by the Sheriff's Department.

MOTION BY: (DEBRUIN) Delete the words "and accept local grants" from the report and resolution and add "to return to the Judiciary, Safety and General Services Committee for final approval and acceptance of the grant".

There being no objection to the language change, it was so ordered.

Mr. Stenbol advised that the Sheriff's Department would miss very important deadlines if they have to report back to this committee to receive final approval to accept the grant.

Supervisor DeBruin withdrew her motion to delete the words "and accept local grants"; however, she requested that an amended fiscal note be prepared by the Sheriff's Department to identify that no local match is required. She also

SCHEDULED ITEMS (CONTINUED):

requested a brief paragraph description relative to the grants be prepared and forward to her as there is no description for what the grants are for.

Chairman Broderick asked that the description of the grants be forwarded to all Committee members.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

9. 04-191 Report, referred back 9/30/04, recommending adoption of a resolution/ordinance amending Chapter 9 of the General Ordinances of Milwaukee County relating to the Code of Ethics for the purpose of strengthening the code and to cause the code to be more compatible with the State of Wisconsin's Code of Ethics. (Tape #4A-609)

APPEARANCES:

Supervisor Michael Mayo, County Board of Supervisors
Jim Carter, Ethics Board
Bob Andrews, Deputy Corporation Counsel

Supervisor Mayo offered several (5) amendments to this resolution/ordinance.

Mr. Carter advised that the Board of Ethics has no position relative to the proposed amendments.

Supervisor Mayo proceeded to review his amendments one by one.

A lengthy discussion ensued relative to the proposed amendments. Separate votes were taken on each amendment.

Supervisor Mayo requested to withdraw item 3 of the proposed amendments. There being no objection, it was so ordered.

MOTION BY: (DE BRUIN) Separate action on the five amendments offered by Supervisor Mayo and Approval of Amendment 1.

There being no objection, Chairman Broderick ordered separate action on the five amendments.

SCHEDULED ITEMS (CONTINUED):

Vote on approval of amendment #1: 4-3

AYES: DeBruin, Schmitt, Weishan and Broderick (Chair) - 4

NOES: Rice, Cesarz and Devine – 3

MOTION BY: (DE BRUIN) Deny amendment #2.

Supervisor Weishan asked if Supervisor DeBruin would withdraw her motion and vote against this particular amendment if she doesn't agree with it to avoid confusion.

Supervisor DeBruin withdrew her motion.

MOTION BY: (WEISHAN) Approve amendment #2. (Vote: 1-6)

AYES: Weishan – 1

NOES: Rice, DeBruin, Schmitt, Cesarz, Devine and Broderick (Chair) – 6

***MOTION BY: (DE BRUIN) To require that each member of the County Pension Board continue to complete and file with the Ethics Board a quarterly financial disclosure statement and further require semi-annual reporting from the County Board, the Ethics Board, Election Commission and County Executive.
(Vote: 4-3)***

AYES: DeBruin, Schmitt, Weishan and Broderick (Chair) - 4

NOES: Rice, Cesarz and Devine – 3

MOTION BY: (RICE) Approve amendment #4.

Comments ensued.

Vote on the motion to approve amendment #4: 4-3

AYES: Rice, Schmitt, Weishan and Broderick – 4

NOES: DeBruin, Cesarz and Devine – 3

MOTION BY: (RICE) Approve amendment #5. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

MOTION BY: (DE BRUIN) Approve item #9 as amended. (Vote: 6-1)

SCHEDULED ITEMS (CONTINUED):

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

Supervisor Cesarz initially vote "no" on this item, but later requested his vote be changed to "aye". There being no objection, it was so order.

10. 04-295 From Milwaukee Area Domestic Animal Control Commission (MADACC), submitting a proposed agreement for intergovernmental cooperation between MADACC and Milwaukee County for licensing of cats and dogs. (Tape #4B-720)

MOTION BY: (DE BRUIN) Approve. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

11. 04-470 From the Chief Judge and Clerk of Circuit Court, requesting approval of a contract with the Legal Aid Society of Milwaukee, Inc. to perform guardian ad litem services at the Children's Court Center. (Tape #4B-727)

APPEARANCE:

Bruce Harvey, District Court Administrator
Chief Jim Walrath, Legal Aid Society

Mr. Harvey reviewed the subject report.

Supervisor DeBruin commented that there had been multiple items from the departments at today's meeting that had partially filled out fiscal notes or none at all. She asked staff if there was a way to let all the entities that appear before this committee know that they need to prepare a fiscal note and have it signed by the appropriate person.

Rick Ceschin, County Board Research Analyst, advised that this is definitely an issue of significant concern. Research staff intends to address this issue with the departments to assure that in the future this is not a continuing practice. He advised that there should have been a fiscal note included with this request.

MOTION BY: (DE BRUIN) Approve. Forward a fiscal note to the County Board before Board day.

Questions and comments ensued.

Vote on the motion to approve: 7-0

SCHEDULED ITEMS (CONTINUED):

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

12. 04-481 From the Chief Judge, requesting approval of an agreement to provide local management and monitoring of the Milwaukee Pretrial Intensive Supervision Program. (Tape #5A-140)

APPEARANCE:
Bruce Harvey, District Court Administrator

MOTION BY: (RICE) Approve.

Questions ensued.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

13. 04-512 From Director, Child Support Enforcement, requesting authorization to execute the State/County contract covering the administration of child and spousal support and establishment of paternity and medical support liability programs. (Tape #5A-190)

APPEARANCE:
John Hayes, Director, Child Support Enforcement

Mr. Hayes reviewed the subject report.

Questions and comments ensued.

MOTION BY: (DE BRUIN) Approve. Forward a fiscal note to the County Board by Board day. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

14. 04-J-10 From County Board Staff and Corporation Counsel, a verbal report on draft revisions to Chapter 14 of the Milwaukee County General Ordinances. (Tape #5A-235)

APPEARANCE:
Rick Ceschin, County Board Research Analyst

SCHEDULED ITEMS (CONTINUED):

Mr. Ceschin provided a verbal report. He indicated that research staff and Corporation Counsel have conducted a thorough review of Chapter 14 and found that the Chapter has certain registration and expense reporting requirements contained in it; however, there are no enforcement provisions for sanctions for non-compliance. It is also lacking in the specificity of expense reporting. Mr. Ceschin and Corporation Counsel will continue to review Chapter 14 to make further revisions. They will consult with some State figures and the Milwaukee County Ethics Board to pursue some of the enforcement provisions. A draft of those revisions will be brought back to the Committee in March 2005.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

15. 04-504 From Principal Assistant Corporation Counsel, requesting approval for payment in the amount of \$50,000 in settlement to Jeanie Carr. **(Corporation Counsel recommends payment in the amount of \$50,000).** (Tape #5A-

APPEARANCE:

John Jorgensen, Principal Assistant Corporation Counsel

Separate action was requested on items 15, 16 and 25.

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purposes of receiving oral or written advice from Legal counsel with respect to Items 15, 16, and 25.
(Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7
NOES: 0

SCHEDULED ITEMS (CONTINUED):

The Committee adjourned into closed session at approximately 12:00 noon and reconvened into open session at approximately 12:35 p.m. Supervisors Rice, DeBruin, Weishan, Cesarz, Devine and Broderick (Chair) were present. Supervisor Schmitt was excused.

MOTION BY: (RICE) Approve items 15 and 16 together. (Vote: 6-0)

AYES: Rice, DeBruin, Weishan, Cesarz, Devine and Broderick (Chair) - 6

NOES: 0

EXCUSED: Schmitt

16. 04-503 From Principal Assistant Corporation Counsel, requesting approval for payment in the amount of \$50,000 in settlement to Godella Petty and her. **(Corporation Counsel recommends payment in the amount of \$50,000).**

SEE ACTION UNDER ITEM 15.

17. 04-505 From Deputy Corporation Counsel, requesting approval for payment in the amount of \$25,000 to Aisha Sykes in settlement of all claims and dismissal of the pending lawsuit. **(Corporation Counsel recommends payment in the amount of \$25,000).**

MOTION BY: (RICE) Approve the balance of the items, exclusive of items 15, 16 and 25. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Weishan, Cesarz, Devine and Broderick (Chair) - 7

NOES: 0

18. 04-483 From Principal Assistant Corporation Counsel, requesting approval of payment of \$5,000 in settlement to **West Bend Mutual Insurance Company** in return for a release of all claims and dismissal of the pending lawsuit. **(Corporation Counsel recommends a total payment of \$5,000 in settlement of this claim).**

SEE ACTION UNDER ITEM 17.

19. 04-508 From Deputy Corporation Counsel, requesting approval of payment of \$4,219.24 to **Sandy S. Biscontine v. Milwaukee County House of Correction** in settlement of this claim. **(Corporation Counsel recommends payment in the amount of \$4,219.24 in settlement on this claim).**

SEE ACTION UNDER ITEM 17.

20. 04-102 From **American Family Insurance Group**, submitting a claim under their

SCHEDULED ITEMS (CONTINUED):

subrogation rights of their insured, Sandra R. Ward, for reimbursement of payment made for the alleged damages sustained to her automobile when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$2,115.90 in settlement of this claim).**

SEE ACTION UNDER ITEM 17.

21. 04-506 From Deputy Corporation Counsel, requesting approval for payment of \$2,046.52 to **State Farm Insurance** to settle all claims arising out of the accident-related damage on January 28, 2004 for their insured, Burton Duff. **(Corporation Counsel recommends payment in the amount of \$2,046.52 in settlement on this claim).**

SEE ACTION UNDER ITEM 17.

22. 04-328 From **American Family Insurance Group**, submitting a claim under their subrogation rights of their insured, Wilfredo Rivera, for reimbursement of payment made for alleged damages sustained to his automobile as a result of an accident occurring on May 17, 2004 involving a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$1,826.34 in settlement of this claim).**

SEE ACTION UNDER ITEM 17.

23. 04-181 From **City of Glendale**, submitting a claim for damages allegedly sustained to a traffic signal which was struck by a Milwaukee County snowplow. **(Corporation Counsel recommends payment in the amount of \$951.88 in settlement of this claim).**

SEE ACTION UNDER ITEM 17.

24. 04-507 From Deputy Corporation Counsel, requesting approval of payment of \$773.83 to **William E. Hoeft** in full settlement of his against the County. **(Corporation Counsel recommends payment in the amount of \$773.86 in settlement on this claim).**

SEE ACTION UNDER ITEM 17.

25. 04-J-7 From Corporation Counsel, update regarding the Christensen lawsuit concerning jail overcrowding.

Separate action was requested on items 15, 16 and 25.

No action was taken on this item.

SCHEDULED ITEMS (CONTINUED):

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Brian Conte, Milwaukee Deputy Sheriff Association
Joe Kuntner, Milwaukee Deputy Sheriff Association
Tom Burant
Inspector Kevin Carr, Sheriff's Department
Ron Malone, Superintendent, House of Correction
Jan Brylow, Programs Manager, House of Correction
Carl Stenbol, Director, Emergency Government
Jim Carter, Ethics Board
Bruce Harvey, District Court Administrator
John Hayes, Director, Child Support Enforcement
John Jorgensen, Principal Assistant Corporation Counsel
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 12:40 p.m.

Linda Durham

Linda Durham, Committee Clerk